

TOWN BOARD

The Town Board, Town of Highlands, held a meeting on Monday, April 9, 2012 at Town Hall, 254 Main St, Highland Falls, NY at 7:00pm.

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| PRESENT: | Mervin R. Livsey | ---- | Supervisor |
| | William Edsall | ---- | Council Member |
| | James Stradley | ---- | Council Member |
| | June Gunza | ---- | Council Member |
| | Jeff Scully | ---- | Counsel |
| | June Patterson | ---- | Town Clerk |
| ABSENT: | Holly Gokey | ---- | Council Member |

Supervisor Livsey opened the meeting at 7:00pm.

PUBLIC COMMENT

None.

MINUTES

Council Member Edsall made a motion seconded by Council Member Stradley to approve the minutes from the March 26, 2012 meeting.

MOTION CARRIED: 4-eyes (Livsey, Edsall, Stradley, Gunza)
0-nays
1-absent (Gokey)

COMMUNICATIONS

Supervisor Livsey has a resignation from Police Officer Daniel Maurice effective for March 30, 2012.

Council Member Gunza made a motion seconded by Council Member Stradley to accept the resignation from Daniel Maurice effective March 30, 2012.

MOTION CARRIED: 4-eyes (Livsey, Edsall, Stradley, Gunza)
0-nays
1-absent (Gokey)

Supervisor Livsey received a request from VISION to lay bricks at Memorial Park.

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Council Member Edsall explained that VISION would like to replace the macadam with brick pavers. Mr. Edsall said the cost is approximately \$15,000 and that VISION has applied for a grant, but would also like to ask the Board for \$7,000 out of the Park Reserve Fund.

Supervisor Livsey said he would like to review and bring it up at the next meeting.

Supervisor Livsey received a letter from DEC about the safety of the dam in lower Cragston.

Council Member Gunza said she faxed the information to MHE and it will be brought up at the next Emergency Management meeting.

Supervisor Livsey received a letter from the Environmental Facilities Corp, the people who the Town is requesting money from for the water project, is asking for additional information. The Supervisor said that as of tonight, all the information requested has been provided to them.

FINANCIAL REPORTS, REQUESTS AND RESOLUTIONS

Supervisor Livsey said the Town has been granted an extension for the AUD report from the State Comptroller. The Supervisor said the report will be filed by the end of the week.

Supervisor Livsey said the Town has received the annual Franchise Fee from Time Warner Cable in the amount of \$15,629.64. The Supervisor also informed everyone that Time Warner will be raising some of their fees.

BOARD REPORTS

Council Member Edsall:

Sewer: Mr. Willis' shoulder is healing and there are no issues at the Plant.

Water: Still waiting for the contract which will, hopefully, be available this week.

Planning/Zoning: Homeland Towers is coming back to the Boards.

Council Member Edsall reported that the balance in the Parkland Reserve Fund is \$124,000.

Council Member Stradley:

Recreation: Mr. Willis is getting the fields ready for the seasons which will begin shortly.

Men's basketball is being well attended. About 150 kids attended the Easter Egg Hunt.

Exercise classes are being offered and the Pitching clinic is complete. Youth soccer signups will begin shortly.

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Highway/Sanitation: Sanitation has 1 guy out due to an injury and the other workers are stepping up to help.

Dial-A-Bus: The Dial-A-Bus broke down again, but hopefully the Town will be getting a new one soon.

Council Member Stradley reported that Steven Bailey is home and recuperating from his accident last week.

Council Member Gunza:

Emergency Management Committee: The Committee interviewed 3 candidates for Coordinator at their last meeting and they would like to recommend to the Town Board that they appoint Tim Connors as the Coordinator with a stipend of \$1,000 and John O'Connor as the Deputy Coordinator with a stipend of \$700.

Council Member Gunza made a motion seconded by Council Member Stradley to appoint Tim Connors as Emergency Management Coordinator and John O'Connor as Deputy Emergency Management Coordinator at the stipends stated above. Both gentlemen will serve at the pleasure of the Board.

Ambulance Corps: The Ambulance Corps had 50 calls in March and had 188 training hours.

Council Member Gunza reported that she and Council Member Stradley attended the Orange County Community Development Grant Kick-off meeting.

SUPERVISOR'S REPORT

Supervisor Livsey attended the 10th annual Second Grade play of Salute to America. The Supervisor said the play was great and recommended it to everyone.

Supervisor Livsey attended the Evelyn Drew Memorial Award ceremony and Charles Quaintance was the recipient.

Supervisor Livsey and Council Member Gunza attended the Greek Flag Raising ceremony and it was a very impressive ceremony.

Supervisor Livsey attended the Mayor's Prayer Breakfast.

Supervisor Livsey and Mayor D'Onofrio attended the Martha Washington Award ceremony and Stella Bailey was the recipient.

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Supervisor Livsey said that Water District #2 project was started over 2 years ago and he doesn't understand why it had to be rushed into last November. The Supervisor said this is a poorly planned project, but this Board has made the best of it. The Supervisor said the Town needs the funding from the NYS Comptroller to do the project.

Supervisor Livsey said that, effective immediately, all vouchers will be signed by the Department Head, Comptroller and Supervisor.

Supervisor Livsey said that he had previously suggested that the cell tower project was dormant. The Supervisor has since discovered that this is not the case. The Supervisor said that Homeland Towers is looking to put a tower at the old Town garage site and the Holiday Inn Express, but everything still needs to be approved by the Planning Board.

ATTORNEY'S COMMENTS

Mr. Scully said that Mr. Rider is preparing a written response to the State Comptroller.

UNFINISHED BUSINESS

Health Insurance for Town Supervisor:

Supervisor Livsey has a resolution to amend the Employee Handbook removing the Supervisor as being eligible for health insurance and putting in the percent of the health insurance paid by the employees.

Council Member Edsall made a motion seconded by Council Member Gunza to adopt the resolution of the Town Board Amending the Employee Handbook of the Town of Highlands: Medical Insurance.

RESOLUTION ADOPTED: 4-eyes (Livsey, Edsall, Stradley, Gunza)
0-nays
1-absent (Gokey)

******RESOLUTION ATTACHED******

Basement Remediation:

Town Clerk Patterson reported that she is waiting for further information from the School District.

Ethics Committee:

Council Member Stradley would like the Board to appoint Joel Baldomir, Marie Webster and Ray Devereaux to the Ethics Committee.

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Council Member Stradley made a motion seconded by Council Member Gunza to appoint Joel Baldomir, Marie Webster and Ray Devereaux to the Ethics Committee.

MOTION CARRIED: 4-ayes (Livsey, Edsall, Stradley, Gunza)
0-nays
1-absent (Gokey)

Recreation Agreement:

Supervisor Livsey asked Council Member Stradley if he had done anything with the agreement.

Council Member Stradley said he had not.

Zoning Changes:

Council Member Edsall said that Mr. Rider had provided the Board with pages from the Master Plan. Mr. Edsall will meet with Building Inspector Hager to get more clarification on the changes. Mr. Edsall also said that Saccardi and Schiff had drawn up a plan for a Hamlet Center at the old Town Garage site.

Supervisor Livsey asked what the procedure was for zoning changes.

Council Member Edsall said he believes it is a Local Law process.

Mr. Scully said the process was started when Mrs. Quaintance was Supervisor and it can be started again if the Board wants.

Council Member Edsall said that some of the changes will alleviate the non-conforming issues.

GENERAL BUSINESS

Supervisor Livsey has received quotes to replace the old furnace and install a new hot water heater. The Supervisor said that gas service will be installed into the building at no charge by Central Hudson.

Supervisor Livsey said the quotes were as follows:

| | |
|-------------------|----------|
| Expert Mechanical | \$19,687 |
| Newbrasky | \$29,477 |
| DNK | \$26,900 |

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Council Member Edsall made a motion seconded by Council Member to hire Expert Mechanical to install the new boiler and hot water heater.

MOTION CARRIED: 4-ayes (Livsey, Edsall, Stradley, Gunza)
0-nays
1-absent (Gokey)

Mr. Scully asked the Supervisor to allow counsel to review the contract.

Council Member Edsall said that the Battlesite clean-up was rained out last Saturday and they will be doing it this Saturday with the Rotary Club.

Supervisor Livsey said that the Board has approved closing Route 218 for groups and he just saw in the paper that West Point closed Route 218 recently and wondered why they didn't need the Town's permission. The Supervisor will contact DOT for an answer.

Supervisor Livsey said that on May 15 the Building Department will begin issuing Burning Permits. The Supervisor said that the cost for the Burning Permit is \$35 and that there are a lot of restrictions on burning.

PUBLIC COMMENT

Dan Malarky informed the Board that he has a problem with what the adjoining property wants to do with the property and he has a petition that has been signed by many residents that he would like to get to the Zoning Board.

Supervisor Livsey advised him to copy the petition and give it to the Town Clerk for distribution to the Planning Board and Zoning Board.

Mr. Malarky said that while he is walking on Rte 218 he sees a lot of garbage. Mr. Malarky offered to pick up the garbage if the Town would provide him with a couple of items he needs to do it.

Council Member Edsall told Mr. Malarky to give him a call and he would get him what he needs.

ADJOURN

Council Member Stradley made a motion seconded by Council Member Gunza to adjourn the meeting. Meeting adjourned at 7:50pm.

MOTION CARRIED: 4-ayes (Livsey, Edsall, Stradley, Gunza)
0-nays
1-absent (Gokey)

RESOLUTION

OF

APRIL 9, 2012

A RESOLUTION OF THE
THE TOWN BOARD
AMENDING THE EMPLOYEE HANDBOOK
OF THE TOWN OF HIGHLANDS:
MEDICAL INSURANCE

Council Member **Edsall** moved the following resolution which was seconded by Council **Gunza**.

WHEREAS, an employee handbook is an effective tool for communicating employment policies and procedures, standards of conduct, pay practices and employee benefits; and

WHEREAS, an employee handbook is important in demonstrating the Town of Highlands' compliance with federal and state regulations; and

WHEREAS, it is a well established "best practice" that employees should be provided with the necessary information to fully understand the policies, procedures, rules and regulations pertaining to their employment; and

WHEREAS, the Town Board of the Town of Highlands adopted a comprehensive Employee Handbook on February 24, 2003 for the purpose of communicating the Town's personnel policies and practices to all employees and elected officials of the Town; and

WHEREAS, the Town Board has reviewed its provisions related to Medical Insurance and would like to amend same with respect to treatment of the position of Supervisor; and

WHEREAS, the Town of Highlands has always considered the Supervisor a part-time position; and

WHEREAS, the Town of Highlands has not traditionally provided benefits to part-time positions; and

WHEREAS, upon diligent review, the Town Board has determined that it is in the best interests of the Town to amend the Medical Insurance provisions of the Employee Handbook; and

WHEREAS, the adoption of said amendments is a local legislative decision in connection with continuing agency administration and management, and does not include new programs or major reordering of priorities that may affect the environment, and accordingly is a Type II Action under the State Environmental Quality Review Act.

NOW, THEREFORE BE IT RESOLVED, Section 806 entitled “Medical Insurance” of the TOWN OF HIGHLANDS “EMPLOYEE HANDBOOK” is hereby amended as follows:

1. The First Subsection of Section 806 entitled “Eligibility” is hereby amended to read as follows:

“Eligibility – The Town will make available medical insurance coverage to each full-time employee, the Town Clerk, and their eligible family members. A part-time, temporary, or seasonal employee or Elected Official (other than the Town Clerk) is not eligible for medical insurance coverage.”

2. The Second Subsection of Section 806 entitled “When Coverage Begins” is hereby amended to read as follows:

“When Coverage Begins - Coverage will begin on the employee’s first day of employment or for the Town Clerk, the first day of office, provided all eligibility requirements of the insurance plan are met.”

3. The Third Subsection of Section 806 entitled “Premium Payment” is hereby amended to read as follows:

“Premium Payment - The Town will pay the full premium for individual medical insurance coverage. If the eligible employee or Town Clerk chooses family medical insurance coverage, the Town will contribute 75% of the difference in the premium between individual and family coverage. EXAMPLE: Family coverage premium is \$400/month; individual coverage premium is \$100/month. The Town will contribute \$225 (75% of \$300). The employee/Town Clerk will be required to pay the difference in the total premium cost, which in this example would be \$75.”

BE IT FURTHER RESOLVED that Section 807 entitled “Medical Insurance Buy-out” of the TOWN OF HIGHLANDS “EMPLOYEE HANDBOOK” is hereby amended as follows

1. The First Subsection of Section 807 entitled “Eligibility” is hereby amended to read as follows:

“Eligibility - A full time employee or the Town Clerk, who is eligible for medical insurance coverage made available through the Town may receive a cash buy-out in lieu of receiving

medical insurance benefits. To be eligible for the medical insurance buy-out, the employee or Town Clerk must provide documentation of comparable medical health insurance coverage in a manner and form to be determined by the Town and sign an appropriate waiver of health insurance coverage and waiver of liability to the Town.”

BE IT FURTHER RESOLVED that the aforesaid resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

James Stradley, Councilman voting **Aye**

June Gunza, Councilwoman voting **Aye**

Holly Gokey, Councilwoman voting **Absent**

William Edsall, Councilman voting **Aye**

Mervin R. Livsey, Supervisor voting **Aye**

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a meeting of the Town Board, Town of Highlands, on April 9, 2012.

June Patterson, Town Clerk